

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

ELECTRONIC PRIVACY INFORMATION
CENTER

DOE 1

Plaintiffs,

v.

U.S. OFFICE OF PERSONNEL MANAGEMENT,
et al.,

Defendants.

No. 1:25-cv-00255-RDA-WBP

**PLAINTIFFS' CONSENT MOTION FOR EXTENSION OF TIME TO OPPOSE
DEFENDANTS' MOTION TO DISMISS**

Plaintiffs Electronic Privacy Information Center and Doe 1 respectfully request a one-week extension of time to respond to Defendants' Motion to Dismiss, with a proposed deadline of May 6, 2025.

Defendants filed their Motion to Dismiss (ECF 43) on April 15, 2025; pursuant to Local Civil Rule 7(F)(1), Plaintiffs' opposition to that motion is due on April 29, 2025.

Plaintiffs intend to amend their complaint pursuant to Federal Rule of Civil Procedure 15(a)(1)(B), which entitles Plaintiffs to amend by May 6, 2025. An amended complaint would moot the pending Motion to Dismiss. *See Dykes v. Portfolio Recovery Associates, LLC*, 306 F.R.D. 529, 530 (E.D.Va. 2015). Rather than filing an opposition to a Motion to Dismiss which will be mooted in short order, Plaintiffs seek a one-week extension of time, to May 6, to oppose the Motion to Dismiss, during which time they intend to file an amended complaint.

Counsel for Plaintiffs have consulted with Defendants' counsel, who consent to the motion.

Dated: April 29, 2025

Respectfully submitted,

/s/ Matthew B. Kaplan

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***pro hac vice* application pending
****pro hac vice* application forthcoming

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